

Ordinance No: 15-05
Zoning Text Amendment No: 03-05
Concerning: Laboratory use in C-O zone
Draft No. & Date: 1 – 2/24/03
Introduced: March 11, 2003
Public Hearing: April 22, 2003; 11:00 a.m.
Adopted: April 29, 2003
Effective: May 19, 2003

**COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND
SITTING AS THE DISTRICT COUNCIL FOR THAT PORTION OF
THE MARYLAND-WASHINGTON REGIONAL DISTRICT WITHIN
MONTGOMERY COUNTY, MARYLAND**

By: Councilmembers Denis and Knapp

AN AMENDMENT to the Montgomery County Zoning Ordinance for the purpose of:

- permitting a laboratory use in the C-O zone, under certain circumstances.

By amending the following section of the Montgomery County Zoning Ordinance, Chapter 59 of the Montgomery County Code:

DIVISION 59-C-4 “COMMERCIAL ZONES”
Section 59-C-4.2 “Land uses”

EXPLANATION: ***Boldface** indicates a heading or a defined term.*
Underlining indicates text that is added to existing laws by the original text amendment.
[Single boldface brackets] indicate text that is deleted from existing law by the original text amendment.
Double underlining indicates text that is added to the text amendment by amendment.
[[Double boldface brackets]] indicate text that is deleted from the text amendment by amendment.
** * * indicates existing law unaffected by the text amendment.*

OPINION

Zoning Text Amendment No. 03-05 was introduced on March 11, 2003 to permit a laboratory use in the C-O zone, under certain circumstances. Under current zoning law a laboratory is allowed in the C-2 zone, but not the C-O zone. ZTA 03-05 would amend the C-O zone to permit the operation of an analytical laboratory, in conjunction with research and development activities, which are now permitted by right in the C-0 zone.

The Montgomery County Planning Board in its report to the Council recommended that the text amendment be approved as introduced.

The County Council held a public hearing on April 22, 2003, to receive testimony concerning the proposed text amendment. The text amendment was referred to the Planning, Housing, and Economic Development Committee for review and recommendation.

The Planning, Housing, and Economic Development Committee held a worksession on April 23, 2003 to review the amendment. The Planning Board indicated it supports for ZTA 03-05, since in the Board's view a laboratory use is consistent with research and development activities now permitted in the C-0 zone. The Committee agreed with the Planning Board's position, with a revision to eliminate a possible enforcement issue.

The District Council reviewed Zoning Text Amendment No. 03-05 at a worksession held on April 29, 2003, and agreed with the recommendations of the Planning, Housing, and Economic Development Committee.

For these reasons and because to approve this amendment will assist in the coordinated, comprehensive, adjusted and systematic development of the Maryland-Washington Regional District located in Montgomery County, Zoning Text Amendment No. 03-05 will be approved as amended.

ORDINANCE

The County Council for Montgomery County, Maryland, sitting as the District Council for that portion of the Maryland-Washington Regional District in Montgomery County, Maryland, approves the following ordinance:

Sec. 1. Division 59-C-4 is amended as follows:

DIVISION 59-C-4. COMMERCIAL ZONES.

* * *

59-C-4.2. Land uses.

* * *

	C-T	O-M	C-O	C-P	C-1	C-2	C-3	C-4	C-5	C-6	H-M	Country Inn
(e) Services:												
* * *												
Research, development and related activities.		P ⁴⁷	P ^{30,*}	P ³⁰								
* * *												

* * *

30 Not to include manufacturing, mixing, fermentation or treatment of resultant products for marketing purposes. The assembly, packaging and servicing of resultant products is allowed provided that such activities do not occupy more than 30 percent of the gross floor area of the building(s) on the lot or parcel.

* An analytical chemistry laboratory that establishes [[precise]] standards for the manufacture of pharmaceuticals is permitted in conjunction with research, development and related activities in the C-O zone.

Sec. 2. Effective date. This ordinance becomes effective 20 days after the date of Council adoption.

This is a correct copy of Council action.

Mary A. Edgar, CMC

Clerk of the Council